## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WELLS FARGO BANK, NAT'L

ASS'N, AS TR. FOR THE BENEFIT

OF REGISTERED HOLDERS OF J.P.

MORGAN CHASE COM. MORTG. SEC.

CORP., MULTIFAMILY MORTG.

PASS-THROUGH CERTIFICATES, SERIES

2017-K724

:

Plaintiff, : Civ. No. 24-2051

:

:

MM-FCDC PARTNERS, L.P.,

v.

:

Defendant.

## **ORDER**

**AND NOW**, on this 15th day of October, 2024, upon consideration of Plaintiff Wells Fargo Bank's Motion to Dismiss Counterclaim, (Doc. No. 14), and Defendant MM-FCDC Partners' Response in Opposition, (Doc. No. 24), it is hereby **ORDERED** that

- 1. Plaintiff's Motion (Doc. No. 14) is **GRANTED**.
- 2. It is further **ORDERED** that Defendant's Counterclaim (Doc. No. 11 at 9-19, ¶¶ 1-80) is **DISMISSED** without prejudice.
- 3. Defendant shall have **until** November 5, 2024 to file an Amended Counterclaim. If Defendant fails to amend, its Counterclaim will be dismissed with prejudice.

AND IT IS SO ORDERED.

/s/ Paul S. Diamond

Paul S. Diamond, J.